

Walter O'Cheskey

Chapter 13 Trustee

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

GARRY DERO PRUITT

CASE NO. 14-70008-HDH-13

AKA1: GARY DERO PRUITT SR  
DBA1: PRUITTS REPAIR SERVICE  
SS#1: xxx-xx- 2567

AKA2:  
DBA2:  
SS#2:

**REPORT OF 341 MEETING**

**I. 341 MEETING REPORT:**

A. Orig. Date: 2/21/2014 Orig. Time: 12:00 PM Reset Date: Reset Time:

B. Meeting Results: Adjourned

C. Debtor(s): Debtor 1 Appeared

D. Attorney for Debtor(s): Appeared

E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 2/21/2014 \$190.00 First Payment Due Date: 2/15/2014

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Complete  
Budgeted Income: \$1,657.50 Expense: \$1,467.50 Surplus: \$190.00  
Plan Payment: \$190.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00  
Objection to Exemption of:  
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:  
Object to Invoke Stay Pleading  
Case Converted from Chapter 7, Bar Date Set: 5/22/2014 Date Converted from Chapter 7:

J. Required Information: Good

K. Business Information:

L. Object to Confirmation: Yes  
Plan lists incorrect attorney fees  
Plan fails to provide for IRS's \$12,307.56 priority claim  
Feasibility until all claims are properly treated

M. Financial Management Class: Debtor 1 Appeared

N. Eligibility:  
Certificate of Credit Counseling Filed: Debtor 1 Only  
Credit Counseling Provider Approved: Yes  
Debt Limits Exceeded (Secured-\$1,081,400; Unsecured-\$360,475): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00  
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: Questions  
-Plan lists incorrect attorney fees  
-SOFA 9 states \$324 paid direct 12/16/2013, but plan has \$4000 in plan \$675  
-Plan fails to provide for IRS's \$12,307.56 priority claim  
-Feasibility until all claims are properly treated  
-On what grounds does Mr. Pruitt claim he is not required file tax returns for 2009-12?  
Tax return affidavit will need to be amended to show either he does need to or is not required to file return 09-12.

Dated: 2/21/2014

/s/ Walter O'Cheskey

Walter O'Cheskey

Chapter 13 Trustee

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Standing Bankruptcy Trustee

By: Brent Hagan

Case Number:	14-70008
Debtor:	Pruitt
Attorney:	White
Presiding Officer:	Brent Hagan
Calculation Date:	2/21/2014 8:25

Domestic Support <b>Input name from Plan</b>	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
IRS -- \$12,307.56 not provided for	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees <b>Paid Through the Plan</b>	\$4,000.00				\$4,000.00
Noticing Fees	\$134.40				\$134.40
Clerk Filing Fees	\$0.00				\$0.00

Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center;"> <div style="flex: 1; border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>&lt;-----</span> <span>Greater Of -----&gt;</span> </div> </div> </div>	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$4,000.00		
Less Noticing Fees	\$134.40		
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00	<-----	

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$163,172.10
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$4,578.84
Debtor Plan Base (Monthly Payment X Term)	\$11,400.00
Surplus (Debtor Plan Base - Calculated Base)	\$6,821.16

Comments: